IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 8TH JUNE 2007 / 18TH JYAISHTA 1929

Bail Appl..No. 3431 of 2007()

CRIME NO.123/07 OF KOLATHUR POLICE STATION

: PETITIONER/ACCUSED NO.2 TO 6

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1. KABEER, S/O. MOHAMMED,
   USNAN HOUSE, VALAPURAM, MALAPPURAM DISTRICT.

2. MAJEED, S/O. MUHAMMED,
   USNAN HOUSE, VALAPURAM, MALAPPURAM DISTRICT.

3. BASHEER M.P., S/O. HAMSA,
   MELEPULAKKAL HOUSE, VALAPURAM,
   MALAPPURAM DISTRICT.

4. ABDUL KHADER @ BAPU M.P., S/O. HAMSA,
   MELEPULAKKAL HOUSE, VALAPURAM, MALAPPURAM
   DISTRICT.

5. FAIZAL K.P., S/O. MOIDHEEN,
   KALLANPALLI HOUSE, VALAPURAM, MALAPPURAM DISTRICT.

BY ADV. SRI.DEVIDAS.U.K

RESPONDENTS: COMPLAINANT

STATE OF KERALA, THROUGH
SUB INSPECTOR OF POLICE, KOLATHUR, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 08/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 3431 OF 2007

Dated this the 8th day of June, 2007

O R D E R

Petitioners, who are accused Nos.2 to 6 in Crime No.123/2007 of Kolathur Police Station for offences punishable under Secs.143, 147, 148, 452, 323 and 324 read with section 149 I.P.C., seek anticipatory bail. The occurrence took place on 28.5.2007.

2. The learned Public Prosecutor opposed the application.

3. Anticipatory bail cannot be granted in a case of this nature. But at the same time, I am inclined to permit the petitioners to surrender before the Investigating Officer for the purpose of interrogation and then to have their application for bail considered by the Magistrate having jurisdiction. Accordingly, the petitioners shall surrender before the investigating officer on any day between 14-06-2007 and 16-06-2007 for the purpose of interrogation and recovery of incriminating material, if any. The petitioners shall, thereafter, be produced on the same day before the Magistrate, who shall consider and dispose of their application for regular bail on merits, preferably on the same date on which such application is filed.

This petition is disposed of as above.

(V. RAMKUMAR, JUDGE)

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